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VIA ECF

The Honorable A. Kathleen Tomlinson
United States Magistrate Judge
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, NY 11722

Re: *Caccavale v. Hewlett-Packard Company a/k/a HP Inc., et al.*
2:20-cv-00974-GRB-AKT (E.D.N.Y.)

Dear Judge Tomlinson:

This firm represents Plaintiffs Tony Caccavale (“Caccavale”), Anthony Mangelli (“Mangelli”), Douglas Sorbie (“Sorbie”), and James Billups (“Billups”)(collectively “Plaintiffs”) in the above referenced matter. This letter is submitted pursuant to paragraph 11 of the Stipulation and Order regarding conditional certification, issuance of collective action notice and disclosure of contact information. D.E. 83, p. 4.

In connection with same, Plaintiffs note that: (1) on July 12, 2021, a Notice, Consent to Join Form and return envelope (“Notice Packet”) was mailed to each of the 172 potential collective members on the list provided by Defendant Unisys Corp. (“Unisys”); (2) 1 Notice Packet was returned as undeliverable; (3) the 1 Notice Packet was not re-mailed as an updated address could not be located;¹ (4) as such there were no re-mailed Notice Packets returned as undeliverable. As to the individuals who have opted into the collective, the concurrently submitted chart contains the following information for each individual: (i) opt-in Plaintiffs’ name; (ii) date of original mailing; (iii) date of re-mailing (if applicable); (iv) date on which the opt-in period ended for the individual; (v) date on which the opt-in form was mailed, emailed, or faxed by the opt-in Plaintiff to Plaintiffs’ counsel; (vi) date on which the consent was filed on ECF; and (vii) docket number containing the individual’s consent form.

Further, near the end of the opt-in period Plaintiffs became aware of two individuals Wilfredo Martinez and Daniel Johnson who seemingly should have been included in the collective list provided by Unisys. It is Plaintiffs’ understanding that Mr. Martinez has been a Field Engineer working in New York for Unisys since, at least, November 2016 and that Mr. Johnson has been a Field Engineer working in New York for Unisys since 2018. Plaintiffs have advised Unisys of their findings and Unisys is looking into same.

¹ Three forms were emailed to collective members who had misplaced their forms and/or moved from the address provided.

Respectfully Submitted,

Paul Pagano

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